



THE PORT AUTHORITY OF NY & NJ

FILED ELECTRONICALLY

September 22, 2005

Ms. Marlene Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: Support of FCC Region 8 (Tri-State) in their Petition for Reconsideration under FCC Docket 02-55

Dear Ms. Dortch;

The Port Authority of New York and New Jersey (the Port Authority) hereby submits comments supporting the Petition for Reconsideration filed by FCC Region 8 on January 20, 2005 with regard to the interim interference protection afforded NPSPAC licensees during the 800 MHz re-banding period.

The Port Authority supports the Region 8 conclusion that interference protection to public safety NPSPAC users throughout re-banding should not be reduced and the NPSPAC band should be afforded the same protection during the re-banding process as it will be afforded in a post re-banding environment.

The Port Authority supports the FCC Region 8 conclusion that interference protection to existing NPSPAC users should be consistent throughout the re-banding process and feels it best serves the interest of the public safety community. The evidence supplied by Region 8 was based on data collected for the Port Authority's 800 MHz radio system. In its filing to the Commission, Region 8 clearly shows a negative impact upon Port Authority police radio communications coverage in the areas where there has been a reduction of interference protection with signal strengths below -85/-88 dBm throughout the re-banding process. While the -101/-104 dBm values were designed to protect public safety in a post rebanding non-interleaved spectrum environment, these levels are still necessary today in order to assure that no loss to our existing police radio communications coverage occurs - as displayed in Region 8 "*Port Authority of New York / New Jersey Coverage Measurements – Narrative*"¹. The Port Authority urges the Commission to reconsider its decision to include the public safety NPSPAC allocation when reducing the interference protection of 800 MHz public safety users throughout the re-banding process.

¹ January 21, 2005 Comments of Region 8, Tri- State 800 MHz Regional Planning Committee, Re: December 2, 2004, Petition of Reconsideration of Region 8, Tri- State 800 MHz Regional Planning Committee, WT Docket No. 02-55



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The Port Authority urges the Commission to provide consistent protection to NPSPAC National Mutual Aid channels both during and after the 800 MHz re-banding process.

The Port Authority is the licensee of the five 800 MHz National Mutual Aid Interoperability channels that service the NYC Metropolitan Area, and the Port Authority Police Department's (PAPD's) Central Police Desk is the licensed control point. The NPSPAC band is the only spectrum location where internationally defined 800 MHz Mutual Aid Interoperability channels are located. In the Port District, which is defined generally as a geographic area within a 25-mile radius of the Statue of Liberty, these channels provide the core spectrum for a comprehensive mutual aid and interoperability first responder system that span portions of two states. Any external interference to operations on these channels (which are interleaved throughout the NPSPAC band) is completely unacceptable. These channels provide critical radio communications links between agencies located in or responding to all areas within the Port District during large-scale incidents, as well as serve to assist multiple agencies in both localized and regional incidents. It is ludicrous to even suggest that the in-band protection of these channels should be compromised to protect some ethereal and undefined, loss of "level of service". Furthermore, the heavy tactical utilization of these channels requires that the only practical solution to providing effective area-wide monitoring and protection from out-of-band interference sources is to provide protection to the entire NPSPAC band. It is simply not an acceptable policy to wait until interference occurs on these channels (or any NPSPAC channels for that matter), and then rely upon a second tier or "best practices solution". Not only will relief come too late in these instances, but a heinous loss of life and property might also result. Just imagine what could happen if such a critical communications link is interfered with and a time-sensitive evacuation order is lost¹. Unfortunately, we understand the consequences of this all too well. The Port Authority strongly opposes any action that may reduce radio communications coverage of this national interoperable resource, even if it is temporary.

Respectfully submitted,

Raymond Simonetti
Manager of Communications
Public Safety Department

² Worse still is the emergency call that does not get through because of "acceptable levels of interference". The officer who needs immediate assistance does not always get the automatic retries; his first call for help may be the only call he can make. He or she does not get to call back later, or redial his call, or get interference "message".